

## REMARKS

Claim 1 has been amended to call for determining a number of spatial defects by analyzing the data during the frame read out. Spatial defects arise due to the close proximity of two defective pixels. See the present application at page 2, lines 21-23.

There is no effort in Therrien to determine whether sufficiently adjacent pixels are defective. The office action originally rejected claim 7 over Therrien, taken alone, citing column 2, lines 25-50, which does not seem to be pertinent. Further, it is suggested that determining a spatial defect is inherent because each defective pixel is a spatial defect. As explained above, a spatial defect involves two proximate defective pixels. Therefore, Therrien would not support the rejection.

The Fossum patent does teach determining spatial defects according to the office action. But, it does not teach doing so during the frame read out. This is made most clear from the flow chart in Figure 1. In block 100, the test is done for dead pixels. In one embodiment, each pixel is activated in sequence. See column 2, lines 24-26. In another embodiment, a wafer level test is used wherein the frames are acquired under illumination and in dark circumstances. See column 2, lines 56-65. Either of these tests would, apparently, constitute the test for dead pixels 100 set forth in Figure 1.

As explained in the flow chart, after the testing is already done (block 100), the identification bad pixel areas (block 102) is accomplished. This is explained in column 3, lines 1 and 2, that “at step 102, the bad pixels which were found in step 100 are investigated to determine the dead pixel areas.” In other words, the determination of bad pixel areas (or, according to the office action, spatial defects) is done after already reading out the data.

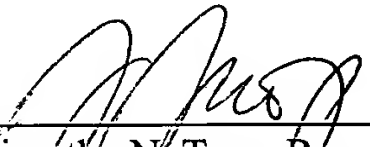
As pointed out in the present application, if the spatial defects are determined during the frame read out process, the relationship between pixels is inherently known. Therefore, it is easy to determine whether certain spatial characteristics exist. Once a bad pixel is identified, all that is needed is to determine whether the next bad pixel is within a predefined (or programmable, in some cases), offset from the previous bad pixel. It is unnecessary to go back after the fact and figure out which pixels are in the same rows, which pixels are in the same columns, and which pixels are within some number of pixels from other defective pixels.

On the same reasoning, the other pending claims are also allowable.

Therefore, reconsideration of the rejection of the claims is respectfully requested.

Respectfully submitted,

Date: March 9, 2005



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